

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed January 9, 2006. Upon entry of the amendments in this response, claims 1, 2, 4 – 11, 13 – 18, 21 and 23 remain pending. In particular, Applicants have amended claims 1, 4 – 6, 9, 13, 16 and 21, and have canceled claims 3, 12, 19, 20 and 22 without prejudice, waiver, or disclaimer. Applicants have canceled claims 3, 12, 19, 20 and 22 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **In the Specification**

The Office Action indicates that the disclosure is objected to because of various informalities. As set forth above, Applicants have amended the specification and respectfully assert that the objections have been accommodated.

### **Rejections Under 35 U.S.C. §102**

The Office Action indicates that claims 1, 2, 8 – 11, 15, 18 – 21 and 23 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Lelong*. As set forth above, Applicants have canceled claims 19 and 20, and respectfully assert that the rejections as to these claims have been rendered moot. With respect to claims 2, 8 – 11, 15, 18, 21 and 23, Applicants respectfully traverse the rejections.

In particular, Applicants have amended claim 1 to incorporate limitations previously recited in claim 3, have amended claim 9 to incorporate limitations previously recited in

claim 12, have amended claim 21 to incorporate limitations previously recited in claim 22, and have amended claims 6 and 16 to be in independent form. With respect to the limitations now present in the independent claims 1, 6, 9, 16 and 21, Applicants respectfully assert that the rejections have been rendered moot because (as the Office Action admits) *Lelong* does not teach or otherwise disclose all of these limitations. Therefore, Applicants respectfully request that the rejections under 35 U.S.C. 102(e) be removed.

#### **Rejections Under 35 U.S.C. §103**

The Office Action indicates that claims 3, 4, 5, 12, 13 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Lelong* in view of *Schutz*. The Office Action also indicates that claims 6, 7, 16, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lelong* in view of *Le*. As set forth above, Applicants have canceled claims 3, 12 and 22, and respectfully assert that the rejections as to these claims have been rendered moot. With respect to the remaining claims, Applicants respectfully traverse the rejections.

In this regard, Applicants respectfully note that *Lelong* is only available as a prior art reference with respect to the pending application under 35 U.S.C. 102(e). Additionally, Applicants respectfully assert that the subject matter of *Lelong* and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person, as indicated by the records of the Office. Thus, in accordance with 35 U.S.C. 103(c), Applicants respectfully assert that *Lelong* may not be used as a basis for rejection of the pending claims under 35 U.S.C. 103(a). Applicants respectfully request, therefore, that the rejections be removed and that the pending claims be placed in condition for allowance.

**Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 3/7/06.

Stephanie Riley  
Signature